

**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING
OF MONDAY, APRIL 17, 2006
SESSION ONE**

1. CALL TO ORDER

Mayor Miles called the Regular Meeting of the Board of Aldermen to order at 7:30 p.m.

Following the Pledge of Allegiance, President of the Board Marilyn Ottenad gave the invocation.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Clement, Alderman Wilson, Alderman Tullock, Alderman Ottenad, Alderman Wandishin, Alderman Ruecker, Mayor Miles and Attorney Gunn. A quorum was present.

3. APPROVAL OF THE MINUTES

a. Minutes of the Regular Board of Aldermen meeting of Monday, April 3, 2006

Alderman Clement made the motion to approve the Minutes of the Regular Board of Aldermen meeting of Monday, April 3, 2006. The motion was seconded by Alderman Ottenad and carried unanimously.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Alderman Tullock made the motion to approve the Order of Items on the Agenda as written. The motion was seconded by Alderman Clement and carried unanimously.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. Comments from the Public

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Mr. James Bottorff, 580 Larksmore Court, urged the Board of Aldermen to get the red light cameras working, and he asked who would receive the ticket. He asked about the status.

Mayor Miles advised that in addition to having the capability of sending a ticket to the vehicle owner, there are also cameras that capture the face shot of the driver. He said there is some legislation pending by the State, so the City doesn't want to do something that would be in conflict with the State.

6. REPORTS FROM THE MAYOR

Mayor Miles reported that on April 11 at 7:30 a.m., Chief, several officers and staff attended the 15th Annual Police Officers Memorial Prayer Breakfast, honoring the men and women who have given the ultimate sacrifice in the line of duty. He said it was a very emotional breakfast. He said the baseball coach was the main speaker.

Mayor Miles stated that following the breakfast, Chief Connolly and he attended the D.A.R.E. graduation at St. Joseph's School at 9:30 a.m. He said there were three classes with about 80 students who had taken the 17-week course. He said the City of Manchester has been involved in teaching the fifth graders for over 20 years now.

Mayor Miles reported that on Thursday, April 13, he attended the St. Louis County Municipal League Executive Board meeting in Richmond Heights. He said that one of the topics was the Buzz Westfall Award for Excellence in Local Government, and Joe Adams from University City was nominated for that award this year.

Mayor Miles stated that also at the Municipal League Executive Board meeting, there was a report on Metrolink. He said the City does have one of the most efficient, best run Metrolinks in the world. Mayor Miles advised that there were people from other cities and countries checking it, and it was reported that the Metrolink is being run very well. He said that Alderman Rick LaBore from Crestwood had attended the Metrolink meeting, and he gave the report.

Mayor Miles said that on Friday, April 14, there was a cookie-and-punch gathering after Senator Michael Gibbons presented him with a Proclamation from the State of Missouri for the more than 12 years he had served the community.

7. REPORTS FROM THE CITY ADMINISTRATOR

- a. List of Paid Bills (Warrant dates of March 30, 2006 – April 12, 2006)

There were no questions.

- b. Discussion with City of Ballwin pertaining to Henry Avenue/Chancellor Heights area

City Administrator Ed Blattner reported that last week, Assistant Director of Public Works Bob Ruck and he met with Gary Kramer and the Superintendent of Ballwin in regard to the Henry Avenue/Chancellor Heights accident area. He said it is not in the City of Manchester, but it parallels with a number of City residents who live along Chancellor Heights. He said when it rains heavily, some motorists drive around that curve and lose control of their cars, and several of the cars hit the fences over the years. He said that the City of Manchester and the City of Ballwin went together with a joint effort to put in a guard rail, and since that time, it has been hit about four or five more times. He said the City of Manchester paid for the repair one time, and Ballwin has paid for the rest of it.

Mr. Blattner said that Gary Kramer from Ballwin has suggested that the road be grooved by Fred Weber, Inc. to rough-up the surface to provide better traction as motorists go around the curve. Mr. Blattner said he believes this will work for a number of years until the grooves wear down. He said that Ballwin has asked the City of Manchester to go 50/50 on the project with them. He said if the members of the Board of Aldermen agree with the suggestion, a motion would be needed. Mr. Blattner said that the City of Manchester's cost would be from \$2,400 to \$3,500, depending on exactly what is done.

Answering Alderman Ottenad's question about the intersection possibly becoming a three-way stop, City Administrator Blattner said that the City of Ballwin is not in favor of the stop signs now, and if the grooving works, nothing else would be done at this time, but as traffic wears down the pavement, the slick pavement will again be an issue. He said there is a lot that could be done structurally to make the pavement safer, but it is totally in Ballwin's jurisdiction. He said that as long as people drive the speed limit, there shouldn't be a problem.

Alderman Clement said that in reading the e-mail trail, it appears that the City of Ballwin decided to move forward with this solution without talking to the City of Manchester.

City Administrator Blattner advised that Former Chief Quinn had met with Chief Biederman of Ballwin, and that Gary Kramer and he had sent each other e-mails in regard to the issue. He said there is a difference of opinion. Mr. Blattner said that City staff felt like having a three-way stop intersection would be an inconvenience to motorists who would have to get their cars under control, but unfortunately, without Ballwin being willing to do that, it wouldn't work, because only one side of the approach is in the City of Manchester; the rest is in Ballwin. Mr. Blattner advised that Mr. Kramer had presented the information to the City of Ballwin Board of Aldermen, and they decided to do the grooving, and they want the City of Manchester to pay 50% of it. He said he believes it is a solution that will work, but in time, the grooves will be worn down.

Alderman Clement suggested that it be conveyed to Mr. Kramer that it is obvious that the City of Ballwin decided to move forward without the support of the City of Manchester Board of Aldermen, as well as probably the City staff.

Mr. Blattner said it is the City of Manchester's residents who are affected, but it is the City of Ballwin's right-of-way.

Mayor Miles commented that the City of Manchester's residents have lost a number of fences in that area, and it is costly to the residents.

There was further discussion regarding asphalt with glass, elevation of the road, and other options. Mr. Blattner said he wasn't opposed to grooving the pavement; it will provide roughness and better traction, but it wouldn't be a permanent solution; it will wear down, but it should solve the immediate problem.

Alderman Ruecker said the location is in his neighborhood, and he had driven that curve a lot since 1979, and he never had any problems. He said he thinks the issue is that people go around the curve too fast. He said he would not be in favor of the stop sign, because there would be people coming around the curve too fast, and then they try to brake for the stop sign, and they really start to slide.

Alderman Tullock said one resident was most concerned about her children being in the back yard, and the issue is on the south side of the guard rail between the telephone pole and the fire hydrant, where cars can get through easily. He understands the problem is when the road is wet.

There was further discussion regarding driving the area when the road is wet.

Alderman Tullock made the motion to accept the proposal of the City of Ballwin for the City of Manchester to pay 50% of the cost of grooving the pavement. The motion was seconded by Alderman Clement and carried unanimously.

c. Presentations

Alderman Ottenad presented Mayor Larry R. Miles with a Proclamation acknowledging his distinguished service and leadership from February 7, 1994 to April 17, 2006. Mayor Miles received a standing ovation.

Mayor Miles was then presented with his personalized City Hall parking sign and a clock engraved with his name and period of service.

Alderman Ruecker was presented with an engraved clock for his service.

City Administrator Ed Blattner thanked both Mayor Miles and Alderman Ruecker for their dedication and service.

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Mayor Miles thanked Alderman Ruecker for coming back on the Board to serve the citizens of Manchester.

Mayor Miles said he was happy and proud to have served the City for more than twelve years, and he is grateful for the support given him. He said he had the support of the Board, and without that support, there would have been problems. Mayor Miles thanked his wife, Mary Ann, for her support.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

1. Minutes of the March 27, 2006 meeting

Alderman Clement advised that the minutes from the March 27 meeting were in the packet. He said that on April 10, there were four cases that came before the Planning and Zoning Commission. He said the cases included a site plan approval for the Jack-In-The-Box; an application for a Special Use Permit for the County Police Precinct on Big Bend, which was approved and will come before the Board of Aldermen on May 1; a site plan approval for the development on 909-919 Big Bend Road, contingent upon outstanding issues being resolved to the City Administrator/City Engineer's satisfaction; and a Special Use Permit by Wally Overstreet for Classic Cars Plus, which will be on the May 1 Board of Aldermen agenda.

b. Historic Review Commission

Alderman Wandishin announced that there would be a meeting on Tuesday, April 18 at 5:15 p.m. at the Public Works Garage.

9. ACTION ON OLD BILLS

a. BILL # 06-1738 – AN ORDINANCE CONTRACTING FOR ASPHALT STREET MILLING AND OVERLAY WORK

Alderman Clement read Bill # 06-1738 for the second time, entitled: "AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO A CONTRACT WITH PACE CONSTRUCTION/MISSOURI PETROLEUM PRODUCTS COMPANY IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) FOR ASPHALT STREET MILLING AND OVERLAY WORK AT VARIOUS LOCATIONS THROUGHOUT THE CITY OF MANCHESTER", by title only.

Alderman Clement said he thought this was strictly for La Bonne Parkway, and City Administrator Blattner added that there would also be some side streets off La Bonne Parkway done.

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Alderman Clement made the motion that Bill # 06-1738 become Ordinance # 06-1665.

A poll of the Board showed:

Alderman Ruecker – aye
Alderman Wandishin – aye
Alderman Ottenad – aye
Alderman Clement – aye
Alderman Wilson – aye
Alderman Tullock – aye

Mayor Miles announced the motion passed 6 – 0.

- b. BILL # 06-1739 – AN ORDINANCE ENTERING INTO AN AGREEMENT WITH PARKWAY SCHOOL DISTRICT FOR CONTINUATION OF THE SRO PROGRAM

Alderman Ruecker stated that there had been a modification to the Ordinance, and he asked City Attorney Gunn to explain it to the Board.

City Attorney Gunn advised that the change was to paragraph 11, with a phrase added to the third to the last sentence, plus two sentences were added as follows: “and shall remain in effect until the conclusion of the 2010 – 2011 school year unless terminated by either party. This agreement may be terminated by either party upon written notice to the individuals signing this agreement. Said termination shall take effect thirty (30) days after written notice.” He said if the City or the School District desired to cancel this agreement, it could be done with a 30-day notice. He said after discussions, it had been determined that there wouldn’t be any overstaffing problems of any kind, and if the School District feels they must have the latitude to do this, it is alright with the City. City Attorney Gunn said the Contract was changed, but the Ordinance was not changed.

Alderman Ruecker read Bill # 06-1739 for the second time, entitled: “AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO AN AGREEMENT WITH THE PARKWAY SCHOOL DISTRICT RELATING TO THE SCHOOL RESOURCE OFFICER PROGRAM”, by title only.

Alderman made the motion that Bill # 06-1739 become Ordinance # 06-1666.

A poll of the Board showed:

Alderman Wandishin – aye
Alderman Ottenad – aye
Alderman Clement – aye
Alderman Wilson – aye
Alderman Tullock – aye
Alderman Ruecker – aye

Mayor Miles announced the motion passed 6 – 0.

c. BILL # 06-1740 – AN ORDINANCE ADOPTING THE AMENDED ELECTRICAL CODE OF ST. LOUIS COUNTY

Alderman Wandishin read Bill # 06-1740 for the second time, entitled: “AN ORDINANCE ADOPTING AND ENACTING THE ELECTRICAL CODE OF ST. LOUIS COUNTY, MISSOURI, AS AMENDED, AS THE ELECTRICAL CODE OF THE CITY OF MANCHESTER, MISSOURI”, by title only.

Alderman Wandishin made the motion that Bill # 06-1740 become Ordinance # 06-1667.

A poll of the Board showed:

Alderman Ottenad – aye
Alderman Clement – aye
Alderman Wilson – aye
Alderman Tullock – aye
Alderman Ruecker – aye
Alderman Wandishin – aye

Mayor Miles announced the motion passed 6 – 0.

d. BILL # 06-1741 – AN ORDINANCE AUTHORIZING FY 2006 BUDGET ADJUSTMENT

Alderman Ottenad read Bill # 06-1741 for the second time, entitled: “AN ORDINANCE AMENDING ORDINANCE NO. 05-1634 ADOPTING AND APPROVING THE BUDGET FOR THE CITY OF MANCHESTER FOR THE YEAR JANUARY 1, 2006 THROUGH DECEMBER 31, 2006, BY REVISING THE ESTABLISHED BUDGET FOR THE GENERAL FUND, DEBT SERVICE FUND, TAX INCREMENT FINANCING (TIF) FUND, CAPITAL PROJECTS FUND, PARKS AND STORM WATER PROJECTS FUND, HOMECOMING FUND AND SANITARY SEWER REPAIR FUND”, by title only.

Alderman Ottenad made the motion that Bill # 06-1741 become Ordinance # 06-1668.

A poll of the Board showed:

Alderman Clement – aye
Alderman Wilson – aye
Alderman Tullock – aye
Alderman Ruecker – aye
Alderman Wandishin – aye
Alderman Ottenad – aye

Mayor Miles announced the motion passed 6 – 0.

10. INTRODUCTION OF NEW BILLS

a. BILL APPROVING BOUNDARY ADJUSTMENT OF 230 AND 232 CREVE COEUR AVENUE

Mayor Miles announced that emergency action had been requested.

Alderman Clement introduced Bill # 06-1742, entitled: “AN ORDINANCE APPROVING A BOUNDARY ADJUSTMENT BETWEEN PARCELS OF PROPERTY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO AND COMMONLY KNOWN AS AND NUMBERED 230 CREVE COEUR AVENUE AND 232 CREVE COEUR AVENUE IN THE CITY OF MANCHESTER, MISSOURI”, by title only.

Alderman Clement said emergency legislation had been requested, and in talking with Director of Planning, Zoning, and Economic Development Franz Krintz, he believes this has been an oversight, that this Bill could have and should have been brought before the Board two weeks earlier. Alderman Clement made the motion that emergency legislation be granted. The motion was seconded by Alderman Ruecker and carried unanimously.

Alderman Clement read Bill # 06-1742 for the second time, entitled: “AN ORDINANCE APPROVING A BOUNDARY ADJUSTMENT BETWEEN PARCELS OF PROPERTY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO AND COMMONLY KNOWN AS AND NUMBERED 230 CREVE COEUR AVENUE AND 232 CREVE COEUR AVENUE IN THE CITY OF MANCHESTER, MISSOURI”, by title only.

Alderman Clement made the motion that Bill # 06-1742 become Ordinance # 06-1669.

A poll of the Board showed:

Alderman Wilson – aye
Alderman Tullock – aye
Alderman Ruecker – aye
Alderman Wandishin – aye
Alderman Ottenad – aye
Alderman Clement – aye

Mayor Miles announced the motion passed 6 – 0.

b. RESOLUTION CERTIFYING RESULTS OF THE APRIL 4, 2006 ELECTION

Alderman Wandishin read Resolution # 06-0193, entitled: “A RESOLUTION DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD IN THE CITY OF MANCHESTER, MISSOURI ON APRIL 4, 2006 FOR THE OFFICE OF MAYOR AND THE OFFICE OF ALDERMAN FOR WARDS I, II, AND III”, by title only.

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Alderman Wandishin made the motion to approve Resolution # 06-0193. The motion was seconded by Alderman Tullock and carried unanimously.

11. MISCELLANEOUS

a. Alderman Wilson's resignation from the office of Alderman

Alderman Wilson advised that he had given the City Clerk a letter of resignation from the office of Aldermen, effective upon his Oath of Office for Mayor.

b. Oaths of Office

Oaths of office were taken by Mayor-Elect Asa Wilson, Alderman Bob Tullock, Alderman Marilyn Ottenad, and Alderman-Elect John Diehl.

c. Comments from the Public

Ms. Debbie Mizerany, 952 Big Bend Station Drive, thanked Mayor Larry Miles for all the years he has given to the City, for the friendship he has given to everybody. She said he would be missed dearly, and he is wished the best for the future. She said he can now spend time with his family, and he deserves it.

12. ADJOURNMENT

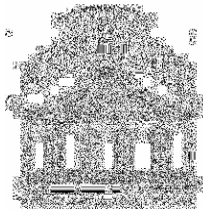
At 8:10 p.m., there being no further business, Alderman Ruecker made the motion to adjourn. The motion was seconded by Alderman Clement and carried unanimously.

The meeting adjourned at 8:10 p.m.

Mayor Miles thanked everyone for attending and wished them a pleasant evening. He stated that Session Two would start in five minutes. Mayor Miles said it has been a pleasure serving the City.

Respectfully submitted,

Ruth E. Baker, City Clerk



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING
OF MONDAY, APRIL 17, 2006
SESSION TWO**

1. CALL TO ORDER

Mayor Wilson called Session Two of the Regular Board of Aldermen meeting of Monday, April 17, 2006 to order at 8:15 p.m.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Clement, Alderman Tullock, Alderman Ottenad, Alderman Wandishin, Alderman Diehl, Mayor Wilson and Attorney Gunn. A quorum was present.

3. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Mayor Wilson advised that Alderman Ottenad's term as President of the Board expires in early May, so he asked that item 10(a) be removed from the agenda and deferred to the May meeting. He said that hopefully the last alderman would be on board by that time.

Alderman Clement made the motion to approve the agenda as amended. The motion was seconded by Alderman Ottenad and carried unanimously.

4. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

- a. Request by El Maguey Mexican Restaurant to hold a Cinco De Mayo celebration on their parking lot on May 5 from 5:00 – 10:00 p.m.

Alderman Wandishin asked for clarification that this has been granted in the past years. He asked if there had been any complaints, and City Administrator Ed Blattner said he was not aware of any complaints, except that one time it was reported that their music was too loud.

There being no further discussion, Alderman Tullock made the motion to approve a request by El Maguey to hold the celebration on May 5 from 5:00 – 10:00 p.m. The motion was seconded by Alderman Clement and carried unanimously.

- b. Request by Amexja Group LLC d/b/a Senor Pique to hold a Cinco De Mayo celebration on outside premises on May 5 and 6 from 5:00 – 9:00 p.m.

Alderman Wandishin said he remembered the same request the previous year, but he remembered it was limited to one night, on May 5, but he didn't remember why.

Alderman Tullock said he attended the celebration the previous year and it went relatively smoothly. He said this is a very important celebration for them, and this restaurant came to the City of Manchester just over a year ago. He said he understands that the Cinco De Mayo celebration lasts the entire weekend.

Alderman Clement made the motion to approve the request by Senor Pique to hold the celebration on May 5 and 6 from 5:00 – 9:00 p.m. The motion was seconded by Alderman Tullock and carried unanimously.

5. REPORTS FROM THE MAYOR

a. Comments from the Public

Former Mayor Larry Miles, 1031 Treeline Court, stated he ran for office in 1993 and lost by about 26 votes. He stated that later that year when there was registration for new aldermen, the Alderman for Ward Two was not living in the ward, and when he registered for re-election he was in Ward Three, therefore, the Ward Two seat was left open. Mr. Miles said that when the Ward Two seat was left open, the Mayor had to fill that position, so he filled that seat with the person who was elected closest to winning that election. He said that the tradition of Manchester was to appoint the next seat to the person who ran closest in that election. He said that in the current case, that would be either Mary Willson or Joe Mastroianni, both Ward One residents. He said they both are trying to help serve the City and make progress for the City. He said he would hope that Mayor Wilson would continue to carry on with this tradition. Mr. Miles said he appointed Alderman Ruecker, who had been an alderman for eight years.

Mayor Wilson said he had asked the aldermen for recommendations. He said his rationale is that he was elected with a particular political philosophy and a particular set of goals and a particular approach to the job, and he feels an obligation to try to find someone who is compatible with those philosophies and those goals. Mayor Wilson said his main objective is to find someone for Ward One to finish his term in much the same way as he would have served the citizens himself.

Mr. Ed Spatz, 504 Wren, said he had lived in the City of Manchester since 1989. He called attention to the fact that Alderman Ruecker was appointed, and Don Ryan would have been second. He asked that the situation in Ward Three be considered.

Mr. J. R. Brown, said he tended to agree with Larry Miles for a lot of things; he had supported him for many years, but he would like to say that at this particular point, he did support Mayor Wilson and he should be able to choose a person without regard to where the vote is. Mr. Brown recognized former Mayor Frank McGuire who was in the audience.

b. Opening Remarks

Mayor Wilson said he wanted to talk about what he hopes to achieve, his aspirations and goals for the administration he hopes to lead. He said that Manchester is a great City filled with many people who love it. He said while campaigning, many people invited him in, and he really aspires to that character and personality that he saw of many residents of the City. He said the City is filled with fair-minded, warm hearted people with a ready handshake, people who have close communities, and he would like to see that continue. He said that as Mayor he wanted to foster that, encourage that and help it to grow. Mayor Wilson said he would pay attention to the City services, try to bring more balance and knowledge as to how many of the services are being managed, and one would be the street maintenance program. He said he would work to get more objective information as to how big that task is, and present that to the Board. He said he hopes to work with the senior staff to examine the financial forces at work in the City. He said the revenue from retail sales is not going up as rapidly as it should, compared to the Consumer Price Index. He said that fundamentally that needs to be looked at, to understand the forces at work there, and bring them under control. Mayor Wilson said a key element in the financial future is the Manchester Highlands Project, and he plans to work closely with City staff, with the Aldermen, with citizens, and with authorities outside the City to bring that project to an optimal conclusion for the City of Manchester as quickly as possible, and to give relief to the folks involved in waiting for its outcome. He said he also intends to conduct an outreach to the business community, and this has already begun thanks to the work of staff, as well as the Eagle Bank; he mentioned the "Eggs and Issues" breakfast.

Mayor Wilson said that Manchester has an opportunity to be a distinctive area in West County, because of the historic heritage, as many administrations before, and he pointed out that former Mayor McGuire had a vision that Manchester would distinguish itself as a historic community in West County, and use that to differentiate itself to build character for the City. He said he wants Manchester to stand out as a destination for people in West County. Mayor Wilson said that all of these efforts he tends to nurture with an aggressive marketing effort, said he plans to market the City in at least four different venues: to make sure the surrounding communities know what Manchester has to offer in terms of business opportunities, to market the City for potential businesses, to encourage exceptional families to consider Manchester as their place of residence, and to try to bring the community closer together. Mayor Wilson discussed the impact the new 141 has had on the City. He said he wants to renew the effort in the elementary schools to teach Manchester history and make children aware of where Manchester has been and to where it is going.

Mayor Wilson said that he would encourage the members of the Board to look beyond the personalities that exist on the Board. He encouraged the Board to deliberate on issues in a very structured and effective manner. Mayor Wilson said he wanted to have an open, accountable and accessible administration, and he would be at City Hall on Tuesdays and Thursdays to interface with staff or meet with citizens from approximately 3:30 p.m. until 6:00 p.m. Mayor Wilson said he would be using the *Courier* to disseminate information to citizens about what is going on in the City, and he hopes to use the City's website much more effectively.

c. Discussion to arrange for a Special Board of Aldermen meeting for appointment of Alderman for Ward One

Mayor Wilson said State Statutes dictate that appointment of an Alderman for Ward One must be done at a Special Board of Aldermen meeting. He said he has been working with the

Aldermen to find a date to have the meeting. He said he also thinks it is necessary that the meeting have enough time in it to have a closed meeting. He advised that there is a problem with the position of the City Attorney, no reflection on Attorney Gunn, but the Ordinances state that the position of City Attorney runs concurrent with the office of Mayor. He said at the closed meeting, there should be legal counsel, and he would be working with the City Administrator to see what sources are available to obtain legal counsel for that meeting.

There was a discussion about the executive session. Alderman Ottenad said the same problem exists, because there are a number of members of the Board of Aldermen who agree to the statement that is read at the beginning of an executive session, and there have been two people on the Board who don't agree to it. She said she didn't know how the Board could go into an executive session if there is no foundation yet. She said she didn't want to go into an executive session and spend 15 to 30 minutes bickering because they can't all agree; that is wasted time.

Mayor Wilson asked how this can be resolved. He asked about discussing this one-on-one with Alderman Ottenad.

Alderman Ottenad responded they could have a discussion, but if there is no movement, she can't see how they can even go into executive session.

Mayor Wilson said he is willing to compromise by making an addition to the statement read by the City Attorney that simply says that members of the Board can approach their own counsel in confidentiality if they feel an infraction has occurred that can't be resolved by discussion with the Board, and that they also have the right to report such an infraction to the proper authority.

Alderman Ottenad said that is what the Board has been dealing with now for one or two years, and that is why they haven't been able to have executive sessions, because there is a continuing problem.

A discussion followed questioning the need for the Special Meeting, and Mayor Wilson said he would appreciate an accelerated schedule to accomplish the appointment of the Ward One Alderman, and he discussed the question regarding ongoing services of the City Attorney; therefore, a Special Meeting of the Board of Aldermen was set for 7:00 a.m. on Saturday, April 22.

Attorney Gunn said that concerning the question of the City Attorney, he felt duty bound to advise the Board that the Code Provision, Section 2-143, has been ruled by the Circuit Court of St. Louis County to have been repealed by implication by the enactment of an Ordinance appointing the City Attorney and providing for a contract under which he operates. He said that matter is on appeal to the Court of Appeals.

Alderman Tullock asked if the decision by the Circuit Court is final, and Attorney Gunn replied it had been appealed. Mayor Wilson asked for a copy of the legal proceedings, and Attorney Gunn said copies could be provided.

Attorney Gunn stated that there had been a comment about having legal counsel at the Special Board of Aldermen meeting, and he assumes that means someone other than himself, and he advised that hiring special counsel must be done by virtue of an Ordinance. A contract must be in place signed by the person who is charged with the duties.

Attorney Gunn reminded the Mayor of the motion adopted regarding appointments, whereby information needs to be provided before submitting a name.

d. Work Session Scheduling

Mayor Wilson said he was hoping the Board would agree to a Work Session for the new aldermen, so they could benefit from the advice and experience of existing aldermen in terms of addressing issues they may be facing in their term. He said he was also hoping this meeting could be the beginning of a manual that could be compiled over the years for new aldermen, as a guidebook or handbook for them.

Mayor Wilson said he also wanted to talk about meeting formats, how the meeting can move more smoothly and efficiently. He said he wanted to talk about the style of the meetings, to talk about the agenda and how it is structured.

Mayor Wilson said he feels further Work Sessions will be necessary to address issues about the Manchester Highlands, and he also wants to discuss the marketing effort that he hopes to promote.

With discussion, it was decided that Saturdays would be convenient for Work Sessions.

Mayor Wilson said he would like to have Work Sessions every four to six weeks over the next several months.

6. REPORTS FROM THE CITY ADMINISTRATOR

a. Update on gasoline tank replacement – request for Emergency Action at the May 1 Board meeting

City Administrator Ed Blattner advised that the bid opening would be the next day, and he stated he had been advised that the gasoline tanks come from Kentucky, and the tanks are all custom ordered, not kept in stock. He advised that at the May 1 Board meeting he would request emergency action to secure the tank from the manufacturer, because it takes six to eight weeks to get the tank, and the operating permit for the current tank expires July 15.

b. Discussion regarding seating at dais

City Administrator Ed Blattner said that a suggestion had been made from a Ward Three resident that the Ward Three Aldermen should be seated together. He said he would be willing to

switch seats with Alderman Diehl to make that happen. There being no objections, Mayor Wilson said he believed that would be a simple matter to simply switch seating arrangements.

7. REPORTS FROM COMMITTEES

There were none.

8. ACTION ON OLD BILLS

There were none.

9. INTRODUCTION OF NEW BILLS

a. BILL RENEWING DENTAL INSURANCE COVERAGE FOR CITY EMPLOYEES

Alderman Tullock introduced Bill # 06-1743, entitled: "AN ORDINANCE RENEWING A CONTRACT WITH DELTA DENTAL PLAN OF MISSOURI FOR DENTAL INSURANCE COVERAGE FOR EMPLOYEES OF THE CITY OF MANCHESTER FOR THE YEAR BEGINNING JUNE 1, 2006 AND ENDING MAY 31, 2007 AND AMENDING CERTAIN TERMS OF SAID CONTRACT", by title only.

No further action at that time.

b. BILL AMENDING THE CODIFIED ORDINANCES REGARDING IMPOSING LICENSES TAX ON TELECOMMUNICATIONS BUSINESSES

Alderman Clement said the members of the Board of Aldermen were handed a revision to the Bill before the meeting began. He said he understands the change is in Section Two where the effective date becomes July 1.

Alderman Clement introduced Bill # 06-1744, entitled: "AN ORDINANCE AMENDING SECTION 140.080 (B) OF THE CODIFIED ORDINANCES OF THE CITY OF MANCHESTER AND, FURTHER, IMPOSING A LICENSES TAX ON ALL TELECOMMUNICATIONS BUSINESSES OPERATING IN THE CITY OF MANCHESTER", by title only.

Director of Finance Marsha Knudtson discussed the telecommunications legislation from the State level. She advised that a letter had been received from the State giving the guidelines as to what the telecommunications rate for the City could be. She said that currently the City has a 5% tax on telephones, and from the compromise from lawsuits and with legislation on the State level, the City is required to reduce the tax from 5% to 2.6%, but that will be applied to a much broader base and will result in more net revenue for the City.

Alderman Clement asked why this would be a broader base, and Ms. Knudtson discussed the wireless gross receipts and the land line taxes for the City of Manchester.

10. MISCELLANEOUS

a. Comments from the Public

There were none.

11. ADJOURNMENT

At 9:10 p.m., there being no further business, Alderman Clement made the motion to adjourn. The motion was seconded by Alderman Tullock and carried unanimously.

The meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Ruth E. Baker, City Clerk